

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

SHIDA JAMIE,

Petitioner,

v.

CIVIL ACTION NO. 2:13-cv-30583
(Criminal No. 2:12-cr-00062-2)

UNITED STATES OF AMERICA,

Respondent.

MEMORANDUM OPINION AND ORDER

Pending before the Court is Movant's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody ("Movant's § 2255 Motion"). (ECF 138.) By Standing Order entered on April 8, 2013, and filed in this case on December 12, 2013, this action was referred to United States Magistrate Judge R. Clarke VanDervort for submission of proposed findings and a recommendation for disposition ("PF&R"). (ECF 140.) Magistrate Judge VanDervort filed his PF&R on January 28, 2015, which recommends that this Court deny Movant's § 2255 Motion and remove this matter from the Court's docket. (ECF 151.)

The Court is not required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Failure to file timely objections constitutes a waiver of de novo review and the Plaintiff's right to appeal this Court's Order. 28 U.S.C. § 636(b)(1); *see also Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir. 1989); *United States v. Schronce*, 727 F.2d 91, 94 (4th Cir. 1984). In addition, this Court need not

conduct a de novo review when a party “makes general and conclusory objections that do not direct the Court to a specific error in the magistrate’s proposed findings and recommendations.”

Orpiano v. Johnson, 687 F.2d 44, 47 (4th Cir. 1982).

Objections to the PF&R in this case were due by February 17, 2015. To date, no objections were filed.

Accordingly the Court **ADOPTS** the PF&R, **DENIES** Movant’s § 2255 Motion, (ECF 138), and **DISMISSES** this action from the docket of the Court.

IT IS SO ORDERED.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTERED: February 23, 2015



THOMAS E. JOHNSTON
UNITED STATES DISTRICT JUDGE